

# TRAINEE TEACHER FITNESS TO TEACH & MISCONDUCT POLICY

<b>Approving Body</b>	Trust
<b>Date of Last Review</b>	June 2025
<b>Statutory (Y/N)</b>	N
<b>Responsible Officer</b>	BMAT CEO for and on behalf of the Trust

## 1. Introduction – scope and purpose

- a. NELTA is committed to ensuring that all trainee teachers meet the highest professional standards expected of educators. This policy outlines the expectations for trainee teachers' fitness to teach, including both academic and personal conduct, and provides procedures for addressing concerns regarding fitness to teach and trainee misconduct.
- b. The policy ensures that all actions taken align with BMAT's values, safeguarding requirements, and commitment to creating a positive and professional learning environment for all students.

## 2. Guiding Principles

Fitness to teach refers to a trainee teacher's ability to perform effectively in the classroom, display appropriate professional behavior, and prioritise student welfare and safeguarding. A trainee teacher is considered fit to teach if they:

- a. Satisfy the requirements of recruitment set out by NELTA and the Department for Education.
- b. **Demonstrate Professional Competence:** Exhibit the required teaching skills and knowledge, including lesson planning, delivery, assessment, and reflection on teaching and professional conduct.
- c. **Maintain Personal and Professional Conduct:** Display high standards of behavior in interactions with students, staff, parents, and the wider community, adhering to NELTA's Trainee Code of Conduct.
- d. **Ensure Health and Well-being:** possess physical and mental health, capable of performing the duties of a teacher without risk to students or colleagues.
- e. **Safeguarding and Welfare:** Act in accordance with safeguarding guidelines, ensuring that students' safety, well-being, and rights are always a priority

## 3. Responsibilities of Trainee Teachers

Trainee teachers have a responsibility to:

- a. Engage actively with feedback and support provided.
- b. Take ownership of their own development and seek help when necessary in a transparent manner.
- c. Comply with NELTA's policies, procedures, and professional expectations.
- d. Demonstrate appropriate professional behaviour both in and outside of the classroom, these behaviours are exemplified in the NELTA trainee Code of Conduct.
- e. Report any health conditions, concerns, or circumstances that may affect their ability to teach to a NELTA representative in a timely manner and engage with support resulting from doing so.
- f. Maintain good attendance to training and placements in line with the DfE's guidance on training hours.

- g. Maintain responsibility for their own health. Health problems are not usually a fitness to teach concern. Most trainees with a health issue (physical or mental) are able to succeed in their course with appropriate healthcare and pastoral support. Sometimes, a trainee is diagnosed with a condition which renders them unfit to undertake further study or teach. In these instances, it is often clear to the trainee and NELTA that the course is no longer suitable. We will support trainees in this position with guidance on alternative study or career options. Health issues normally only raise fitness to teach concerns if:
- a trainee fails to acknowledge or manage their condition
  - a trainee shows a lack of insight into the impact of their condition on study or teach
  - a trainee refuses to interrupt or withdraw from the course despite having a physical or mental illness which renders them unfit for teach and registration, either temporarily or permanently.

#### **4. Responsibilities of NELTA and BMAT Trust**

NELTA and BMAT Trust is responsible for:

- Providing clear expectations of professional behavior and performance.
- Offering appropriate support, mentoring, and professional development opportunities.
- Ensuring a fair and transparent process for assessing fitness to teach.
- Ensuring that the safety, welfare, and well-being of students is always prioritised.
- Offering support to trainees who are experiencing health or personal difficulties affecting their fitness to teach.

#### **5. Raising concerns about a trainee's fitness to teach**

If concerns arise regarding a trainee teacher's fitness to teach, these will be handled in a fair, transparent, and timely manner.

Concerns may be raised by:

- A NELTA representative, Mentor, Subject Knowledge lead, PCM or appropriate school or BMAT Trust staff.
- The trainee teacher themselves, including in cases of personal health or well-being.
- Students or parents, where applicable, in cases of behavior or conduct issues.

**Concerns will be addressed through the following process:**

1. **Initial Discussion:** Concerns will be raised and discussed informally with the trainee by their mentor or tutor.
2. **Action Plan and Support:** If necessary, a support plan will be created, setting clear objectives for improvement.
3. **Formal Review:** If concerns persist, a formal review meeting will be scheduled to assess progress and determine next steps.

4. **Fitness to Teach Panel (if required):** In extreme cases, a Fitness to Teach Panel will review the situation and decide on appropriate actions, which may include further support, remediation, or, in some cases, removal from the program.

## 6. Trainee Misconduct

Trainee misconduct, whether related to professional conduct or personal behaviour, can affect a trainee's fitness to teach and ability to remain on the training program. Misconduct may include but is not limited to:

- a. **Unprofessional Conduct:** Failure to maintain appropriate professional boundaries, including inappropriate interactions with students or colleagues, dishonesty, or disrespect for school policies and values. Serious breaches of professional conduct, including dishonesty, bullying, discrimination, or failure to follow safeguarding protocols.
- b. **Failure to Adhere to Policies:** Non-compliance with Beacon MAT's policies, including but not limited to, the safeguarding policy, attendance policy, and NELTA code of conduct.
- c. **Inappropriate Behavior:** Any behaviour that undermines the professional environment or disrupts the learning experience of students, such as being consistently late, failing to meet deadlines, or acting in a disruptive or disrespectful manner.
- d. **Gross Misconduct:** Gross misconduct includes any action that endangers student welfare, such as serious breaches of safeguarding procedures, violence, substance abuse, or criminal activity. Gross misconduct will result in immediate suspension and could lead to termination of the training course, pending an investigation and final decision by the Fitness to Teach Panel.

## 7. Procedures for Addressing Misconduct

- a. Concerns about trainee misconduct will be handled through a fair and transparent process.
- b. **Timescales.**
  - a. Reasonable efforts will be made to deal with disciplinary matters promptly and in line with the timescales set out in this Policy.
  - b. Those timescales may be varied in exceptional cases (e.g., due to an unforeseen lack of resource or a particularly complex case). All parties will be informed of any variance to timescales and their consent will be sought.

### Stage of implementation

1. **Informal Discussion:** Concerns will initially be raised informally with the trainee, either by a mentor, Lead mentor or other relevant staff member. This allows for early intervention and discussion of potential issues before they escalate.
2. **Action Plan and Support:** If the concerns are related to professional conduct or performance, an action plan will be initiated following the NELTA Support Plan and Cause for Concern Policy. This plan will outline clear steps for improvement and include

deadlines, expected outcomes, and any support or training needed to address the issues.

3. **Formal Investigation:** If informal action does not resolve the issue(s), or the problem is too serious to be dealt with informally, then NELTA will conduct a full and impartial investigation.
  - a. A member of the Trust Executive or SLT will be appointed to act as an investigating officer. This role may be delegated to line managers who are not a member of the Trust Executive or SLT, as appropriate.
  - b. A decision will be made on further action, which may include additional support or a recommendation for further intervention.
4. **Fitness to Teach Panel:** If misconduct is serious or ongoing, or if concerns about fitness to teach remain unresolved, a Fitness to Teach Panel will be convened within 5 working days of reporting a serious incident of misconduct.
  - a. The hearing will be chaired by a member of the Trust Executive or delegated to a member of SLT who is not also a member of the Trust Executive, as appropriate.
  - b. A member of HR or a suitable delegate should attend to advise and take minutes. Legal advisors may also attend, as appropriate, with appropriate notice given of at least 3 working days.
  - c. The panel will assess all relevant information, including witness statements, the trainee's previous behaviour, and any mitigating factors.
  - d. Following the panel's review, a decision will be made regarding the trainee's continued participation in the training course.
  - e. Actions may include continued monitoring, further support, remediation, or, in extreme cases, removal from the training course.
  - f. If the trainee misses the hearing without communication and/or a valid excuse, then it may lawfully proceed in their absence.

## 8. **Records:**

- a. BMAT keeps a written record of all cases.
- b. Copies of meeting records should be given to trainees as standard or on request. NELTA may withhold information to protect witnesses.
- c. Informal action under this Policy will not be stored on personnel files but a record should be kept by managers and those involved.
- d. Decisions to terminate training will be securely destroyed after six years.
- e. Disciplinary action will not be based on spent misdemeanours, but the fact that they exist may explain why BMAT does not substitute a lesser sanction.
- f. All records are processed in line with the Data Protection Act 2018 and the [BMAT Data Protection Policy](#)

**9. Suspension from training may be necessary while the investigation is conducted:**

- g. Suspension from training is not a disciplinary sanction or an assumption of wrongdoing – it is an investigatory tool.
- h. The period of suspension should be reviewed to ensure it is as brief as reasonably practicable (ideally two weeks or less).
- i. Suspension may be necessary to investigate alleged gross misconduct, cases where relationships have broken down, cases where there are risks to members of NELTA, BMAT or BMAT property, or where there is evidence of tampering with evidence, witnesses or potential witnesses.
- j. Trainees should be informed in person of any decision to suspend and must be informed in writing.

**8. Right of Appeal**

Trainee teachers have the right to appeal any decision made regarding their fitness to teach or misconduct. This process is detailed in the NELTA Complaints and Appeals Policy.

**9. Confidentiality**

All proceedings related to fitness to teach, or misconduct will be handled confidentially. Information will be shared only with those who have a legitimate need to know and be in accordance with BMAT's policies and procedures.

**9. Conclusion**

At Beacon Multi-Academy Trust, we are committed to supporting the development of trainee teachers to become skilled, professional educators. The Fitness to Teach and Misconduct Policy ensures that any concerns about a trainee's ability to meet these standards are addressed promptly, fairly, and transparently. By maintaining high expectations for behavior, conduct, and professional performance, we ensure that all students are taught by capable, safe, and caring educators.

## Trainee Teacher Fitness to Train to Teach

### APPENDIX A – KEY TERMINOLOGY

- **Fitness to Teach :** The ability of a trainee to meet the professional standards required for teaching and behave in a manner consistent with the expectations of the profession.
- **Misconduct:** Any behavior or action that breaches NELTA’s policies, the expectations for professional conduct, or compromises the safety and well-being of students or colleagues.

## Trainee Teacher Fitness to Train to Teach

### APPENDIX B – EXAMPLES OF DISCIPLINARY OFFENCES

Examples of behaviours which constitute the need to consider Fitness to Teach :

- Persistent bad time keeping
- Unauthorised absence
- Damage to the organisation's property
- Failure to observe the organisation's procedures
- Any act which has a negative impact on the reputation of the organisation
- Unreasonable or abusive behaviour
- Unreasonable refusal to follow an instruction issued by a manager or supervisor
- Poor attendance
- Smoking or use of an e-cigarette in non-designated areas of the organisation's premises
- Breaches of legislation.

Examples of behaviours or issues which constitute misconduct:

The following list is neither exclusive nor exhaustive and therefore does not preclude the possibility of dismissal for other offences of similar gravity. BMAT may arrive at a decision other than summary dismissal having regard to all the circumstances.

- Theft, fraud or embezzlement in relation to employment.
- Offences relating to Child Protection.
- Fighting and offences involving violence against others at work.
- Serious bullying or harassment.
- Serious insubordination.
- Serious breach of the DfE Teachers' Standards.
- Misuse of BMAT's property or name and/or bringing BMAT into serious disrepute.
- Serious incapability whilst on duty brought on by alcohol or drugs.
- Acting in an unprofessional manner on any BMAT premises or at any BMAT event.
- Deliberate acts of abuse, discrimination, bullying or harassment on a protected characteristic.
- Victimisation.
- Unauthorised access to, and use of, computer records and electronic data.
- Breach of the IT policies including accessing offensive or pornographic material and attempting to download material likely to damage BMAT IT systems.
- Being convicted of any criminal offence or any action likely to bring BMAT into disrepute.
- Malicious or vexatious claims of any nature.
- Unauthorised use or disclosure of confidential information, including via social media or leaving confidential information unsecured.



- Gross inefficiency or neglect of duty.
- Serious breach of health and safety issues.
- Serious negligence which causes or might cause unacceptable loss, damage or injury.
- Serious breach of confidence (subject to the Public Interest (Disclosure) Act 1998).
- Unauthorised removal of, or malicious damage to, the property of BMAT, of its employees or of persons in relation to whom BMAT and/or its employees are in a position of trust.
- Falsification of time records, travel, subsistence and expense claims in relation to his/her employment.
- Sexual offences and sexual misconduct whilst at work. Serious breaches of safety regulations endangering other persons, including deliberate damage to, neglect of, or inappropriate use of safety equipment